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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/721,402	11/22/2000	Glenn F. Evans	MSI-688US	2724
22801	7590	10/06/2005		
LEE & HAYES PLLC 421 W RIVERSIDE AVENUE SUITE 500 SPOKANE, WA 99201			EXAMINER BOCCIO, VINCENT F	
			ART UNIT	PAPER NUMBER

2616

DATE MAILED: 10/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/721,402	<b>Applicant(s)</b> EVANS ET AL.	
	<b>Examiner</b> Vincent F. Boccio	<b>Art Unit</b> 2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>11/8/04, 12/27/04</u> . | 6) <input type="checkbox"/> Other: ____  |

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**DETAILED ACTION**

The Group and/or Art Unit location of your application in the PTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Group Art Unit 2616.

**Claim Rejections - 35 USC § 103**

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:  
(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.  
This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).
2. Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsumagari et al. (US 6,798,976) in view of Lau et al. (US 6,525,746).

Regarding claim 1, Tsumagari discloses and meets the limitations associated with a apparatus for

- a memory (col. 24, lines 47-51, "MPU/CPU a ROM written with control programs and the like and a RAM which provides a work area required for executing programs");

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- logic operatively coupled to the memory and operatively configured to access multimedia content from a medium (Figs. 1-2), the logic a multimedia navigator program for handling control (entry point creation) and information to and from the medium, thereby responding to flags met by settings and operating modes and different ways that entry points can be generated;
- selectively determining if at least one operation will be performed (met by either any one of user interaction or system can be set to trigger entry points or flags indicating operational functions such as at col. 26, lines 22-37, at least a flag is met by the user setting a entry point interval in units of minutes and wherein when set longer than the recordable time, no entry points are generated, therefore corresponding to at least a flag being a time parameter which indicates if events should be returned and further the system programming enabling user generated entry point also reads on flags indicating to return event identifiers based on completion of a requested command, such as play to pause, end of playback, switching video and so forth, wherein when the time parameter is less than the total time, at least one entry point should be generated or will be generated;
- the operation selected from a group of operations;
  - o synchronization operation (col. 29, upon switching video to be recorded and/or video and audio to be recorded, entry points are generated or video vs. audio, defined that switched video with respect to audio, which are synchronized on playback); or
  - o a selective user operation (setting entry points); or
  - o read/write register operation (registering entry point or writing and reading the already set points for playback).

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Regarding claim 2,

- causing the navigator program to subsequently return an event identifier and status result to the player application (triggered thru the application program, by user or system, col. 29, lines 40- and user col. 29, lines 27, wherein the events are identified by attributes or meta data or various object information, Fig. 39, "Time, Title, Thumbnail, attribute, Mark-Record-Date", meta data, "data about the data");
- upon commencement, completion or cancellation of the requested command met by col. 29, lines 27-, "automatically enters entry points upon, start of recording, end of recording, pause of recording and playback, switching ... given time intervals", etc.....;
- commencement (play), completion/cancellation of a requested command (cancel play mode to pause mode, generate a bookmark, further pause also implies resumption, therefore to resume (col. 12, line 40, "resume marker"), wherein a bookmark is generated at this point also or a resume marker), etc.....; wherein the programs or programming meets the limitations associated with accessing the multimedia DVD, having video and audio etc....., wherein creation and access or utilization of the generated entry points, thereby meeting the limitation of wherein the program or navigation program responds to requests to access the multimedia information.

Claims 3-12, are deemed analyzed and discussed with respect to Fig. 39 user GUI, wherein the control and other programs set flags such as entry points or various meta data and parameters to create entry point and later access entry points, being a DVD in Fig. 1, wherein Tsumagari is deemed to meet the limitations associated with handling requested commands (user or system generated for events, bookmarks or entry points), which are deemed communicated thru programming operatively associated with a navigator program allowing navigation by locating and identifying events and allowing reply based on entry points, thereby navigating thru the

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multimedia content, requested by a user, generated by a user and/or system, wherein the flag is met by the system being configured by at least a flag to perform the entry point generation by the user and/or the system, wherein the programming with flags facilitate the entry point processing either by user interaction or system can be set to trigger entry points or flags indicating operational functions such as at col. 26, lines 22-37, at least one of the flags is met by the user setting a entry point interval in units of minutes etc..., wherein precise playback information is also met title, start and end times (Figs. 47-48, Cinderella 00' 00" to 00' 30").

Further regarding claims 1-12, Tsumagari fails to particularly disclose wherein request commands and event identifiers are communicated via at least one API operatively associated with programming or navigator part of the programming, which performs the navigation or an API handling commands and returning event information or command and information API or APIs.

Lau teaches at col. 6, line 50-, to col. 7, line 23,

"At processing environment 10 run time, the shell 14 scans a predefined directory for plug-in programs. When present, a plug-in program name is added to a list which is displayed in a window or menu for user selection. When an operator selects to run a plug-in 16, the corresponding dynamic link library is loaded into memory and a processor begins executing instructions from one of a set of pre-defined entry points for the plug-in. To access a video sequence and video object segmentations, a plug-in uses a set of callback functions. A plug-in interface to the shell program 14 through a corresponding application program interface (or API) module 18." and

Lau further teaches marking points or marks in an editing system being a plug-in, wherein the APIs typically allow the corresponding plug-in to access specific data structures, wherein the API serves to fetch a frame of video data, for example, retrieve the object, wherein plug-ins and the interfacing thru APIs allows the plug-ins to be written in different languages and under different programming environments (col. 7 etc.....), as taught by Lau.

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Therefore Lau teaches plug-ins each having APIs, to facilitate control or handling commands and information extracted for events being Ids, using APIs with plug-in programs, therefore, teaches that requested commands and event identifiers can be communicated via at least one API.

Therefore, it would have been obvious to one skilled in the art at the time of the invention to modify **Tsumagari** by incorporating APIs with respect to plug-ins to facilitate book-marking, handling commands and returning event meta data or attributes and/or other functions associated with the navigator programming, as taught by Lau, thereby providing a bridge to versatility thereby allowing plug-in programs to be written in different languages, such as C or other languages, as taught by Lau.

**Contact Fax Information**

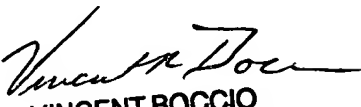
Any response to this action should be faxed to:

(571) 273-8300, for communication as intended for entry, this Central Fax Number as of 7/15/05

**Contact Information**

Any inquiry concerning this communication or earlier communications should be directed to the examiner of record, Monday-Tuesday & Thursday-Friday, 8:00 AM to 5:00 PM Vincent F. Boccio (571) 272-7373.

Primary Examiner, Boccio, Vincent  
10/2/05

  
VINCENT BOCCIO  
PRIMARY EXAMINER